

WC 04-423

**FILE STAMP & RETURN**

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November 16, 2004

**VIA HAND DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
The Portals  
445 12th Street, S.W.; TW-A325  
Washington, D.C. 20554

**RECEIVED**  
NOV 16 2004  
Federal Communications Commission  
Office of Secretary

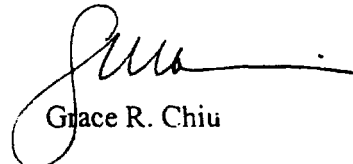
Re: **EXPEDITED CONSIDERATION REQUESTED**  
Section 63.71 Application of McLeodUSA Telecommunications Services, Inc.  
for Authority to Discontinue Interstate DSL Service in Selected Areas

Dear Ms. Dortch:

On behalf of McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"), transmitted herewith are an original and six (6) copies of the above referenced application for authority to discontinue the provision of interstate DSL service in certain areas of Oklahoma City and Houston. The proposed date of discontinuance of service is December 31, 2004. McLeodUSA therefore respectfully requests expedited treatment of this application, including release of public notice of this application not later than November 29, 2004.

Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Should you have any questions with respect to this matter, please do not hesitate to contact the undersigned.

Respectfully submitted,



Grace R. Chiu

Counsel for  
McLeodUSA Telecommunications Services, Inc.

Enclosure

cc: Rodney L. McDonald (FCC) (via e-mail)  
William A. Haas (McLeodUSA)

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.**

In the Matter of	)	
	)	
Section 63.71 Application of	)	
	)	
<b>McLeodUSA Telecommunications Services, Inc.</b>	)	WCB Docket No. 04-_____
	)	
For Authority to Discontinue Interstate	)	
DSL Service in Selected Areas	)	

**SECTION 63.71 APPLICATION**

McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"), through its undersigned counsel, hereby files this application to discontinue service pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, in selected areas defined herein. In support of this Application, McLeodUSA submits the following information:

1. Applicant's name and address are as follows:

McLeodUSA Telecommunications Services, Inc.  
McLeodUSA Technology Park  
6400 C Street, SW  
Cedar Rapids, Iowa 52406-3177

2. The anticipated date for the discontinuance of service is December 31, 2004, or as soon thereafter as the necessary governmental approval can be obtained.

3. The proposed discontinuance of service will affect service in Oklahoma City and Houston, but only within the central offices designated by the following CLLI codes:  
  
HSTNTXLA and HSTNTXGP.

4. McLeodUSA proposes to discontinue provision of its interstate special access

DSL service, which is used for high-speed internet access.

5. McLeodUSA provided written notice to affected customers on November 10, 2004, in accordance with the requirements of Section 63.71(a). A copy of the customer notice is attached hereto as Exhibit A.

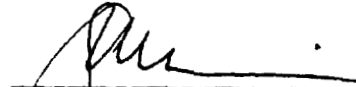
6. McLeodUSA is non-dominant with respect to the interstate special access DSL service that it proposes to discontinue.

7. McLeodUSA has not sought approval for the proposed discontinuation of service from any state public utility commission because the service it proposes to discontinue is interstate in nature pursuant to *GTE Telephone Operating Cos., GTOC Tariff No. 1, Trans. No. 1148*, 13 FCC Rcd. 22,466 (1998). McLeodUSA emphasizes that it does not propose to discontinue the provision of any intrastate service and does not seek to cancel or amend any existing state or federal license or tariff.

8. Questions regarding this application may be addressed to the undersigned counsel to Applicant.

Respectfully submitted,

**McLeodUSA Telecommunications Services, Inc.**



Grace R. Chiu  
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E-mail: GRChiu@swidlaw.com

Its Counsel

Dated: November 16, 2004

**EXHIBIT A**



McLeodUSA Technology Park  
P.O. Box 3177  
Cedar Rapids, IA 52406-3177

mcleodusa.com

November 10, 2004

[Customer Name]  
[Address 1]  
[Address 2]

Dear McLeodUSA DSL Customer,

Thank you for your business with McLeodUSA. We regret to inform you that as of December 31, 2004, McLeodUSA will no longer be offering DSL service in your area. Specifically, McLeodUSA will cease to offer DSL service in the areas served by the Houston, Texas, and Oklahoma City, Oklahoma central offices designated by the CLLI codes: HSTNTXLA, and HSTNTXGP.

This only affects your DSL service and will not affect any other service that we may be providing to you. You will not be charged any early termination or cancellations fees and you may keep or discard any McLeodUSA-provided DSL equipment. You may also choose another Broadband (DSL, cable or wireless) service provider for your business. We will be able to assist you in that transition.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the § 63.71 Application of McLeodUSA Telecommunications Services, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

A McLeodUSA StarQuality® Certified Customer Care representative will be contacting you within seven business days to discuss this letter and to answer any questions you may have.

If you have questions regarding this change with your DSL service, please contact your McLeodUSA Account Manager or DSL Customer Care Representative at 1-888-849-0640 and select Option "1."

Sincerely,

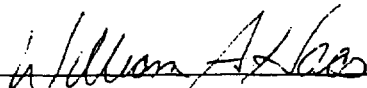
McLeodUSA

**VERIFICATION**

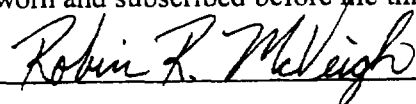
STATE OF IOWA                                 :  
  :  
  :       SS.  
COUNTY OF LINN                            :

I, William A. Haas, being first duly sworn, state that I am Associate General Counsel of McLeodUSA Incorporated, the parent company of the McLeodUSA Telecommunications Services, Inc., the applicant in the foregoing *Section 63.71 Application of McLeodUSA Telecommunications Services, Inc. for Authority to Discontinue DSL Service in Selected Areas*; that I am authorized to make this Verification on behalf of Applicant; that I have read the foregoing Application and know the contents thereof; and that the same are true and correct to the best of my knowledge and are made in good faith.

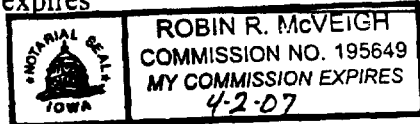
**MCLEODUSA INCORPORATED**

  
By: William A. Haas  
Associate General Counsel

Sworn and subscribed before me this 15 th day of November, 2004.

 Notary Public

My commission expires



## CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Section 63.71 Application of McLeodUSA Telecommunications Services, Inc.* was served this 16<sup>th</sup> day of November, 2004, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

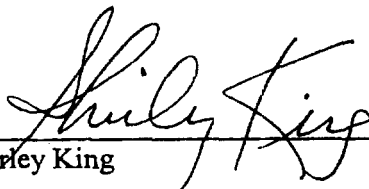
Governor Brad Henry  
State Capitol Building  
2300 N. Lincoln Blvd., Room 212  
Oklahoma City, OK 73105

Oklahoma Corporation Commission  
2101 N. Lincoln Blvd.  
P.O. Box 52000  
Oklahoma City, OK. 73152-2000

Governor Rick Perry  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428

Public Utility Commission of Texas  
1701 N. Congress Avenue  
PO Box 13326  
Austin, TX 78711-3326

Secretary of Defense  
Attn: Special Asst. for Telecommunications  
The Pentagon  
Washington, DC 20301

  
Shirley King